

## **REMARKS/ARGUMENTS**

### **Status of the Application**

Claims 16-35 are pending in this application. Claim 16 has been amended to make it clear that operational data is provided to a user after service information has been provided so that the user can verify that the service was properly completed. Claim 22 has been amended to make it clear that the operational data is provided to show potential problems with a system, so that a user can request related service information if any service information for the system is ongoing to allow improved diagnosis of the problem with the system.

### **Claim Rejections**

#### **A The Present Invention**

As noted in the previous office action, the present invention, as shown in Figure 30, relates to a system and method for collecting service information and operational information for various types of building systems. The advantage of the present system is that by providing access to operational data and service data, the user can better monitor the performance of their system. A user can use operational data and service data to better determine how well particular systems are working. If user detects an abnormality with the operation of a system, having access to service information can help the user pin-point potential problems with the system. Further, a user can monitor whether service has been conducted properly by having access to operational data to make sure their system has been repaired or maintained properly.

B. Kalantar

The examiner has rejected claims 16-32 under 35 USC 102(e) as being anticipated by Kalantar et al. ("Kalantar"). The Kalantar reference generally relates to a work management system for facility management. More specifically, the Kalantar reference relates to a system and method for managing facilities using client devices at each facility that communicate with a central management server through a network.

C. Kalantar does not disclose a method or system whereby operational and service information about a facility or a system can be retrieved such that the two types of information can be used together.

As noted in the previous response, a review of column 32, lines 25-43 shows a management server capable of receiving a task status message. Information about the status of a task, such as a service activity, is not analogous to information about how a system is operating, as the independent claims 16, 22 and 28 require. Further, the claims as now amended clearly recite how operational data can be used to verify that a service has been completed properly, and, in the alternative, how service information can be used to determine the source of a problem as indicated by operational data. There is clearly no disclosure in Kalantar of a solution that allows a user to use operational data and service data to complement each other. Accordingly, it is respectfully requested that the rejection of claims 16, 22 and 28 in light of Kalantar be withdrawn. As dependent claims 17-21, 23-27 and 29-35 incorporate the limitations of the independent claims, it is respectfully requested that the rejection of these claims be withdrawn as well.

D. As Kalantar Fails to Disclose All of the Limitations of Independent Claims 16, 22 and 28, the Examiner's Obviousness Rejection of Claims 33-35 Should be Withdrawn

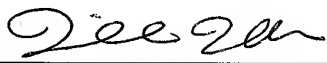
As noted in the previous office action, claims 33-35 have been added to make it clear that the type of systems for which operational and service data is provided are selected from the group consisting of HVAC systems, fire safety systems and mechanical systems. The examiner has rejected claims 33-35 under 35 U.S.C. 103(e) as being unpatentable over Kalantar in view of Hunter et al. ("Hunter"). As Kalantar and/or Hunter fail to disclose the limitations set forth in independent claims 16, 22, and 28, it is respectfully submitted that since claims 16, 22 and 28 are in condition for allowance, dependent claims 33-35 are also in condition for allowance since they incorporate limitations of these independent claims. Accordingly, the examiner is respectfully requested to withdraw his rejection of claims 33-35.

### **Conclusion**

For all the foregoing reasons, it is respectfully submitted the applicants have made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

Respectfully submitted,  
SIEMENS CORPORATION

Dated: 2/02/07

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07/28/2003

Brad Haerberle

2003P00904US01

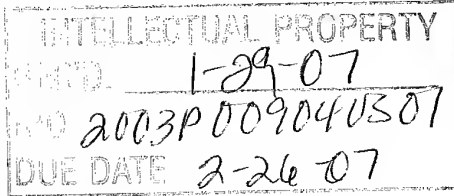
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01/26/2007

EXAMINER

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Intellectual Property Department  
170 Wood Avenue South  
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ART UNIT

PAPER NUMBER

DATE MAILED: 01/26/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

10628976

Applicant(s)

Examiner

Art Unit

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 1-18-7 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
- ☐ B. New paragraph(s) should not be underlined.
- ☐ C. Other \_\_\_\_\_

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
- ☐ B. Other \_\_\_\_\_

☐ 3. Amendments to the drawings:

- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
- ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
- ☐ C. Other \_\_\_\_\_

☒ 4. Amendments to the claims:

- ☒ A. A complete listing of all of the claims is not present.
- ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
- ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
- ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ E. Other: Mis-g Claims 1-15.

☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

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